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Attorneys for WELLS FARGO BANK, N.A.
(successor by merger to Defendant WACHOVIA
BANK, N.A.) and Defendant METROPOLITAN
WEST SECURITIES LLC

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA – SAN FRANCISCO DIVISION

STATE COMPENSATION INSURANCE
FUND,

Plaintiff,

vs.

METROPOLITAN WEST SECURITIES
LLC; WACHOVIA BANK, N.A.; DOES
1 through 10, inclusive; and DOES 11
through 20, inclusive,

Defendants.

CASE NO. CV 09-02959 JSW (EDL)

**STIPULATION AND ~~PROPOSED~~ ORDER
CONTINUING EXPERT DISCOVERY
CUTOFF ONLY**

1 Plaintiff State Compensation Insurance Fund (“State Fund”) and Wells Fargo Bank, N.A.
 2 (successor by merger to Defendant Wachovia Bank, N.A.) and Defendant Metropolitan West
 3 Securities LLC (collectively, “Defendants”) stipulate as follows:

4 WHEREAS the Court entered stipulated orders on August 22, 2011 (Dkt. No. 106),¹
 5 November 14, 2011 (Dkt No. 130),² November 28, 2011 (Dkt. No. 142),³ and December 9, 2011
 6 (Dkt. No. 159),⁴ that together set the following case schedule:

7	Fact discovery cutoff:	December 2, 2011
8	Disclosure of experts and reports:	December 22, 2011 (12:00 p.m.)
9	Disclosure of rebuttal experts and reports:	January 26, 2012
10	Expert discovery cutoff:	February 20, 2012
11	Completion of mediation:	March 13, 2012
12	Dispositive motion hearing date:	March 30, 2012 (9:00 a.m.)
13	Final pretrial conference:	May 21, 2012
14	Trial:	June 11, 2012

15 WHEREAS the parties have completed disclosures of experts and reports and rebuttal
 16 experts and reports, and will be taking six expert depositions between them;

17 WHEREAS the attorneys and certain of the experts have conflicts that have proven to
 18 make scheduling six depositions in a two-week period (allowing one week to review rebuttal
 19 reports and conduct document discovery) very difficult;

20 WHEREAS the parties have met and conferred and agreed to a schedule for all six
 21 depositions between now and March 2, 2012, which schedule lessens the burdens on the parties,
 22 their counsel, and their experts;

23
 24
 25 ¹ This order continued various case deadlines, pursuant to the parties’ stipulation.

26 ² This order continued the cutoff for fact depositions only, pursuant to stipulation.

27 ³ This order permitted the parties to supplement expert reports in light of a deposition not yet
 28 taken because it was (and still is) the subject of pending motion practice, pursuant to stipulation.

⁴ This order continued expert discovery, dispositive motion, and mediation deadlines while
 leaving all subsequent pretrial and trial dates the same.

1 WHEREAS the parties believe that if the expert discovery cutoff is continued to March 2,
2 2012 to accommodate this deposition schedule, all other case deadlines (including the trial date)
3 may remain in place;

4 NOW THEREFORE, IT IS HEREBY STIPULATED BY AND BETWEEN THE
5 PARTIES HERETO AND THEIR COUNSEL OF RECORD THAT the expert discovery cutoff
6 be continued to March 2, 2012, with all subsequent deadlines (including pretrial and trial dates) to
7 remain the same.

8
9
10 Date: February 6, 2012

MUNGER, TOLLES & OLSON LLP

11
12 By: /s/ James C. Rutten

James C. Rutten

13 Attorneys for Defendants WELLS FARGO
14 BANK, N.A. (successor by merger to
15 WACHOVIA BANK, N.A.) and
16 METROPOLITAN WEST SECURITIES LLC

17 Date: February 6, 2012

BARGER & WOLEN LLP

18
19 By: /s/ J. Russell Stedman

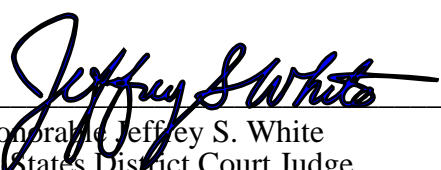
J. Russell Stedman

20 Attorneys for Plaintiff STATE
21 COMPENSATION INSURANCE FUND

22
23 * * * * *

24 PURSUANT TO STIPULATION, IT IS SO ORDERED:

25
26 DATED: February 7, 2012

27 
28 The Honorable Jeffrey S. White
United States District Court Judge